

STATE OF NEW HAMPSHIRE  
BOARD OF PHARMACY

April 21, 2004

A regular meeting of the New Hampshire Board of Pharmacy was held on **April 21, 2004** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:40 a.m.** with President Margaret E. Hayes presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Margaret E. Hayes, President  
Kristina Genovese, Vice-President  
George L. Bowersox, Treasurer  
Sandra B. Keans, Secretary  
Vahrij Manoukian, Member  
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,  
Executive Secretary  
Jeffrey S. Poirier  
Compliance Investigator

ABSENT

Peter A. Grasso, Chief Compliance Investigator

II. REVIEW OF ACTION ITEMS

A. **FLORIDAINFUSION/NATIONS DRUG**

1053 Progress Court  
Palm Harbor, FL 34683

Non-compliance with request to license as a wholesaler/distributor, according to RSA 318:51-a, and doing business in the State of NH.

Board review: November 19, 2003

Awaiting response from Florida Infusion/Nations Drug to Attorney General's March 2, 2004 letter alleging violation of RSA 318:51-a.

**Motion (Petrin/Bowersox) to request that the Attorney General pursue criminal prosecution for violation of applicable statutes as provided in the AG's written notice to Florida Infusion/Nations Drug dated March 2, 2004. Voted (unanimous).**

**B. FLORIDA INFUSION PHARMACY**

4190 Corporate Court  
Palm Harbor, FL 34683

Non-compliance with request to license as a mail-order pharmacy, according to RSA 318:37,II(a) and doing business in the State of NH.

Board review: November 19, 2003

Awaiting response from Florida Infusion/Nations Drug to Attorney General's March 2, 2004 letter alleging violation of RSA 318:51-a.

**Motion (Petrin/Bowersox) to request that the Attorney General pursue criminal prosecution for violation of applicable statutes as provided in the AG's written notice to Florida Infusion Pharmacy dated March 2, 2004. Voted (unanimous).**

**C. Pharmaceutical Compounding – Sterile Preparations  
USP General Chapter <797>**

Agenda item tabled January 21, 2004 pending additional information.

**Commissioner Petrin provided an update on Chapter <797>. The Board's compliance unit developed guidelines which will be used during routine pharmacy inspections beginning June 1, 2004. These guidelines have been mailed to all NH licensed pharmacies and other locations where sterile preparations are/may be compounded.**

**D. Medication Assistance Programs**

Pursuant to Commissioner Bowersox's preliminary report at the March 17, 2004 Board meeting (*see Minutes*), a comprehensive report of findings and proposed resolution (action guidelines) will follow at a later date.

**III. REVIEW / ADOPTION OF MINUTES**

Minutes of the **March 17, 2004 regular meeting** of the Board were accepted as

submitted. (Manoukian/ Petrin). Voted (unanimous).

#### IV. LICENSING

##### A. Pharmacy Technician

###### 1. Settlement Agreement

**JANUSZ, Jamie L.**

Manchester, NH

Registration Number: PT2446

**Motion (Manoukian/Petrin) to approve a Settlement Agreement which includes a ninety (90) day period of revocation of registration and completion of a five-hour continuing education law review program. Voted (unanimous).**

##### B. Pharmacy

###### 1. Change of Ownership

**CRITICAL CARE SYSTEMS**

10 Commerce Park North, Unit 4  
Bedford, NH 03110

Pharmacist-In-Charge: **\*Donald J. Morrison, R.Ph.**

NH License No. R1612

Corporate Officer/Supervisor: **Robert A. Smaglia**

Vice President, Operations

**\*Appearing for Mr. Morrison: Jean C. Puleo, R.Ph.**

NH License No. R1527

Application complete.

**Motion (Keans/Manoukian) to approve the change of ownership of Critical Care Systems located at 10 Commerce Park North, Unit 4, Bedford, NH and to grant licensure effective on date of ownership transfer. Voted (unanimous).**

###### 2. Settlement Agreement

**P&C FOOD MARKET #3145**

370 Miracle Mile  
Lebanon, NH 03766  
NH Pharmacy Permit No. 0589 P

**Motion (Manoukian/Genovese) to approve a Settlement Agreement which includes a \$1,000 administrative fine (\$500 stayed). Voted (unanimous).**

3. Defining Change of Ownership

The Board reviewed a "Fact Sheet" relative to the proposed acquisition of Shaw's Supermarkets, Inc. (Shaw's Pharmacies) by Albertson's , Inc. Also reviewed was a requested opinion from the NH Attorney General's office relative to this proposed transaction and whether or not this would be cause for re-licensure of all of the NH Shaw's pharmacies.

**No action was taken and the matter was tabled for discussion at the Board's May 19, 2004 meeting.**

V. COMPLIANCE UNIT

A. **Activity Report**

- March 2004

**Motion (Bowersox/Manoukian) to accept the report as submitted. Voted (unanimous).**

VI. NEW BUSINESS

**Compounded Veterinary Drug Products**

No action taken/required. Discussion tabled to Board's May 19, 2004 meeting.

VII. ADJOURNED 12:58 P.M.

Respectfully submitted,

Sandra B. Keans  
Secretary  
FOR THE BOARD